

FILED

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U.S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
CLERK'S OFFICE

02-74622

Case No. VICTORIA A. ROBERTS  
Hon.

JULIE CHAVEZ (BAGHDADY),

Plaintiff,

-vs-

BAKER COLLEGE, a Michigan  
corporation, and LAURA KRUTSCH,

Defendants.

Jackson County Case No.: 02-6383-NZ  
Hon. Charles A. Nelson

MAGISTRATE JUDGE MORGAN

GEORGE J. BRANNICK (P11132) ✓  
Attorney for Plaintiff  
740 W. Michigan Avenue  
Jackson, MI 49201  
(517) 787-1303

✓GEORGE M. DeGROOD, III (P33724)  
Attorney for Defendants  
400 Galleria Officentre, Ste. 550  
Southfield, MI 48034  
(248) 353-4450

NOTICE OF REMOVAL OF CAUSE TO THE UNITED STATES  
DISTRICT COURT, EASTERN DISTRICT OF MICHIGAN,  
SOUTHERN DIVISION

Defendants, BAKER COLLEGE and LAURA KRUTSCH, by and through their counsel,  
THOMAS, DeGROOD, WITENOFF & HOFFMAN, P.C., respectfully notify this Court of the  
removal of the above styled action from the Circuit Court of Michigan, Jackson County, to the  
United States District Court for the Eastern District of Michigan, Southern Division at Detroit,  
Michigan, pursuant to 28 U.S.C. 1331 and 1441(a) and (b), and state as follows:

1. That on or about November 8, 2002, Plaintiff commenced this action in the Circuit

Court for the County of Jackson, State of Michigan, by filing a Summons and Complaint in which

THOMAS, DEGROOD,  
WITENOFF, & HOFFMAN  
ATTORNEYS AND COUNSELORS  
AT LAW  
PROFESSIONAL CORPORATION  
400 GALLERIA OFFICENTRE  
SUITE 550  
SOUTHFIELD, MICHIGAN 48034

—  
(248) 353-4450  
FAX (248) 353-4451

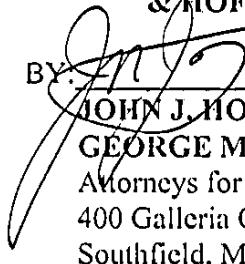
Baker College and Laura Krutsch were named as Defendants.

2. That service of process has been made on the Defendants.
3. That the action is a civil action alleging that Plaintiff's civil rights were violated under Title IX, 20 U.S.C. 1681 et seq, as well as other state and federal laws, due to alleged discriminatory behavior by the Defendants.
4. That written notice of the filing of this Notice of Removal has been given to all parties and a copy of this Notice of Removal has been filed this date with the Clerk of the Circuit Court of Michigan, Jackson County.
5. That this Notice of Removal is hereby filed with this Court, within thirty (30) days after receipt by Defendants Baker College and Laura Krutsch, along with a copy of the initial pleadings setting forth a claim for relief upon which this action is based.
6. Attached is a copy of all process and pleadings served upon Defendants Baker College and Laura Krutsch in this cause.

*WHEREFORE*, the Defendants herein, Baker College and Laura Krutsch, respectfully notify this Court of the removal of this action from the Circuit Court of Michigan, Jackson County.

Respectfully submitted,

**THOMAS, DeGROOD, WITENOFF  
& HOFFMAN, P.C.**

BY: 

JOHN J. HOFFMAN (P31807)  
GEORGE M. DeGROOD, III (P33724)  
Attorneys for Defendants  
400 Galleria Officentre, Suite 550  
Southfield, MI 48034  
(248) 353-4450

DATED: November 18, 2002

THOMAS, DEGROOD,  
WITENOFF, & HOFFMAN  
ATTORNEYS AND COUNSELORS  
AT LAW  
PROFESSIONAL CORPORATION  
400 GALLERIA OFFICENTRE  
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\_\_\_\_\_  
(248) 353-4450  
FAX (248) 353-4451

Friday 15 of Nov 2002, Initiation

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NOV-12 02 11:16 FROM: NOV 11 2002 3:13 PM FR PLUNKETT &amp; LUUNETA 801 4040 10 1810/66464 TO: B10 732 0973 PAGE: 03 F-123

APPROVED, SCAO

Original - Court  
1st copy - Defendant2nd copy - Plaintiff  
3rd copy - PlaintiffSTATE OF MICHIGAN  
JUDICIAL DISTRICT  
6TH  
JUDICIAL CIRCUIT  
COUNTY PROBATE

SUMMONS AND COMPLAINT

CASE NO.  
02- 6383 NZCourt address 312 S. Jackson Street, Jackson, Michigan 49201 CHARLES A. NEULON Court telephone no.  
PLUNKETT 517-788-4268Plaintiff name(s), address(es), and telephone no(s).  
JULIE CHAVEZ, (BAGHDADY)  
3470 Carpenter Rd., #116  
Ypsilanti, MI 48197-9677Plaintiff attorney, bar no., address, and telephone no.  
GEORGE J. BRANNICK (P11132)  
ATTORNEY for Plaintiff  
740 W. Michigan Ave.  
Jackson, Michigan 49201  
(517) 787-1303Defendant name(s), address(es), and telephone no(s).  
BAKER COLLEGE, a Michigan corporation  
and LAURA KRUTSCH  
2800 Springport Rd.  
Jackson, MI 49202  
LAURA KRUTSCH  
1 Baker College  
2800 Springport Rd.  
Jackson, MI 49202  
(317) 789-6123**SUMMONS NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. YOU HAVE 21 DAYS after receiving this summons to file an answer with the court and serve a copy on the other party or to take other lawful action (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued NOV - 8 2002	This summons expires FEB - 7 2003	Court clerk Linda K. Cooper
This summons is valid unless served on or before its expiration date.		

**COMPLAINT** Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.

## Family Division Cases

There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.

An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in \_\_\_\_\_ Court.

The action  remains  is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

## General Civil Cases

There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in \_\_\_\_\_ Court.

The action  remains  is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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**VENUE**

Plaintiff(s) residence (include city, township, or village): 3470 Carpenter Rd., #116, Ypsilanti, MI	Defendant(s) residence (include city, township, or village):
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Place where action arises or business conducted  
Jackson County, Michigan

I declare that the complaint information above and attached is true to the best of my information, knowledge, and belief.

October 2002

Signature of attorney/agent

GEORGE J. BRANNICK

If you require special accommodations to use the court because of disability, contact the court's accommodations for the handicapped.

SAC# 0773 1718 P.05

SUETT CRAWFORD

DS:ST 13-2002 10-12-2002

Friday 15 of Nov 2002, Finalization

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NOV-12 2002 11:16 FROM: TD:810 732 0973  
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PAGE:04

CHARLES A. NELSON  
P18228SUMMONS AND COMPLAINT  
Case No. 02-638342

## PROOF OF SERVICE

TO PROCESS SERVER: You are to serve the summons and complaint not later than 21 days from the date of filing. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

## CERTIFICATE / AFFIDAVIT OF SERVICE / NON-SERVICE

 OFFICER CERTIFICATE

OR

 AFFIDAVIT OF PROCESS SERVER

I certify that I am a sheriff, deputy sheriff, constable, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that (initials required):

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that (initials required):

I served personally a copy of the summons and complaint.  
 I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint.

together with \_\_\_\_\_

List of documents served with the Summons and Complaint

on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time
Baker College, a Michigan corporation, 2800 Springport Rd., Jackson, MI 49202		
and Laura Krutech	✓ Baker College, 2800 Springport Rd., Jackson, MI 49202	

After diligent search and inquiry, I have been unable to find and serve the following defendant(s): \_\_\_\_\_

I have made the following efforts in attempting to serve the defendant(s): \_\_\_\_\_

I have personally attempted to serve the summons and complaint, together with \_\_\_\_\_

Attachment

on \_\_\_\_\_

Name \_\_\_\_\_

at \_\_\_\_\_ and have been unable to complete service because  
 Address \_\_\_\_\_  
 the address was incorrect, at the time of filing.

Service fee	Miles traveled	Mileage fee	Total fee
\$ 5		\$ 5	\$ 5

Signature \_\_\_\_\_

Title \_\_\_\_\_

County, Michigan.

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, County, Michigan.

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date: \_\_\_\_\_ Deputy constable/Notary public

## ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with \_\_\_\_\_

Attachment

on \_\_\_\_\_  
Day, date, time \_\_\_\_\_

Friday 15 of Nov 2002, ~~Formation~~

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NOV-12 02 11:16 FROM: 3:14 PM FR FLORIDA & LOUISIANA SWI - 6446 TO: 810 732 8973  
NOV 11 2002

PAGE: 05

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF JACKSON

JULIE CHAVEZ, (BAGHDADY)

Plaintiff, FILE NO. 02-6383 N2

v.

HON. CHARLES A. NELSON  
#16226

BAKER COLLEGE, a Michigan  
corporation, and

LAURA KROTSCH,

Defendants.

GEORGE J. BRANNICK (P11132)  
Attorney for Plaintiff  
740 W. Michigan Ave.  
Jackson, MI 49201  
517-787-1303

JACKSON COUNTY CLERK  
RECEIVED NOV 12 2002  
11:16 AM  
CLERK'S OFFICE

COMPLAINT AND JURY DEMAND

The Plaintiff, Julie Chavez, (Baghdady) states the following:

COUNT I

1. This Circuit Court has jurisdiction over this civil case without regard to the amount sought in damages because this case is brought under the ELCRA, MCL 37.2101 et seq., as well as under Title IX of the Education Amendments of 1972 (Title IX), 20 USC 1681 et seq., and other state and federal law.

2. At all times pertinent hereto Julie Chavez was and is a

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Friday 15 of Nov 2002, F~~o~~ination

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resident of Jackson County.

3. That Baker College is located in Jackson County.
4. That Laura Krutsch also resides in Jackson County.
5. That this cause of action also arose in Jackson County.
6. That Laura Krutsch is an instructor at Baker College and Julie Chavez was at the time a student at Baker College.
7. That in March of 2001 your Plaintiff, Julie Chavez, enrolled in Baker College and during the first two grading periods made the Dean's List.
8. That, on the 28th of September, 2001, while Plaintiff was a student at Baker College, she married an Arab by the name of Osama Baghdady.
9. That, after knowing that she had married an Arab by the name of Osama Baghdady, Defendant Laura Krutsch made several derogatory remarks about Ms. Chavez (Baghdady) in front of the entire class of 15 to 20 students.
10. That, when your Plaintiff complained to the proper authority relative to the actions of Defendant Laura Krutsch, her grades began to fall and in the March 2002 exams she failed three classes which prevented her from obtaining the certification which she sought at the school.
11. That notwithstanding that her marital status had no connection with the certification she was seeking, she continued to be discriminated against again, and again and again, not only by Laura Krutsch, but by the school in general.
12. That, as a result of the actions of the school and Laura

Friday 15 of Nov 2002, F~~in~~ation

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SECURITY FINCO INSURANCE

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Krutsch, the hostile environment resulted which not only led to her failing her classes, but led to her lack of certification in her desired occupation, to wit, massage therapy.

13. That notwithstanding that Plaintiff attempted in every way to resolve the issue, the school refused to recognize any of her complaints whatsoever and told her that she was not entitled to any relief whatsoever.

**COUNT II: VIOLATION OF THE ELLIOTT-LARSEN CIVIL RIGHTS ACT**

14. Plaintiff incorporates by reference paragraphs 1-13.

15. Baker College and Ms. Krutsch had duties under the Elliott-Larsen Civil Rights Act, including not to discriminate or harass Ms. Chavez (Baghdady) on the basis of her marital status and not to maintain a hostile environment as a result thereof.

16. At all times pertinent hereto, Laura Krutsch and Baker College were agents for the purpose of these duties.

17. Baker College and Laura Krutsch violated these duties in ways described above and discriminated against Ms. Chavez (Baghdady) on the basis of her marriage causing her to be damaged.

WHEREFORE Plaintiff requests judgment in her favor against Defendants Baker College and Laura Krutsch for all amounts to which she is found entitled and for all other legal and equitable relief provided for by law, together with costs and attorney fees under the Elliott-Larsen Civil Rights Act and other rules and law.

Friday 15 of Nov 2002, ~~in~~ation

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I FURTHER DEMAND TRIAL BY JURY.

I DECLARE THAT THE STATEMENTS ABOVE ARE TRUE TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF.

Julie Chavez  
JULIE CHAVEZ, (BAGHDADY) Plaintiff

George J. Branick  
GEORGE J. BRANICK  
Attorney for Plaintiff  
Dated: October 8, 2002

248 353 1710 P.10

SWEET CRAWFORD

NOV-12-2002 13:58